

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
JUNE 6, 2012**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on June 6, 2012, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The board conducted the following business:

Wednesday, June 6, 2012

CALL TO ORDER

Chair David Karem called the meeting to order at 9:00 a.m. and asked everyone to please turn off or mute their cell phones.

ANNOUNCEMENTS

Chair Karem then announced the following items:

- Additions need to be made to the agenda as follows:
 - Prior to Item II. Roll Call, we will conduct the swearing-in of recently appointed Kentucky Board of Education member, Nawanna Privett, by Judge Phillip Shepherd.
 - Under the hearing officer's report, Item XII.C, the board will consider approval of Statements of Consideration for 703 KAR 5:070 and 703 KAR 5:225.
 - For Item XIII. B. 2, 704 KAR 7:160, Use of Restraint and Seclusion in Public Schools, the type of item is being changed from an Action/Discussion item to a Review item.
- A corrected agenda can be found on the materials table and in the board's meeting folders.
- Before we begin the formal business session, we will take time to recognize the eleven students representing the school districts statewide who served on the first Next Generation Student Council, a group formed by Kentucky Education Commissioner Terry Holliday during the 2011-12 school year. These students met three times between February and April with Commissioner Holliday, both in person and virtually, to discuss how decisions made at the state level are affecting students throughout Kentucky and provide feedback – from a student's perspective – on critical issues impacting Kentucky students and schools.

The eleven students who served are:

- Logan VanWay, Boone County High School;
- Forrest Miller, North Bullitt High School in Bullitt County;
- Brittany Hughes, Burgin High School in Burgin Independent;
- Steven Peay, Butler County High School (present in the audience);
- Cory Banta, Bryan Station High School in Fayette County;
- Jake Walker, Henderson County High School;
- Natalie Fahrback, Louisville Male High School in Jefferson County (present in the audience);
- Blair Walden, South Laurel High School in Laurel County;
- Tiffany Parham, Murray High School in Murray Independent;
- Iman Ali, Pikeville High School in Pikeville Independent; and
- Morgan Casto, Russell High School in Russell Independent.

Join me in congratulating these outstanding students for their service to the council and the board encourages all students to apply for next year's council.

SWEARING-IN OF NEW BOARD MEMBER

Judge Phillip Shepherd, Franklin County Circuit Court Judge, was present to swear-in Nawanna Barton Privett as the newest Kentucky Board of Education member.

ROLL CALL

Present for the meeting were Judy Gibbons, Billy Harper, David Karem, Robert King, Roger Marcum, Nawanna B. Privett, Brigitte Ramsey, William Twyman, and Mary Gwen Wheeler. Jonathan Parrent was absent.

APPROVAL OF MINUTES FROM THE APRIL 4, 2012, REGULAR MEETING

Chair David Karem asked if there were any additions or corrections to the April 4, 2012, regular meeting minutes. Since no additions or corrections were suggested, Billy Harper then moved approval of the minutes and Brigitte Ramsey seconded the motion. The motion carried.

David Karem announced that Nawanna Privett would not be voting at this meeting and would use it as a learning experience to bring herself up to speed.

INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH

Commissioner Terry Holliday introduced the following new Kentucky Department of Education employees:

Office of Next-Generation Learners:

Shondiste Wallace – Division of Learning Services – Administrative Specialist III

Grace Williams- Office of Next Generation Learners – KBE/KDE Education Academic Program Manager
Christopher Wood – Division of Learning Services – Administrative Specialist III

Knowledge, Information and Data Services:

Alison Martinez – Division of Enterprise Data – Assistant Director

REPORT OF THE SECRETARY OF THE EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Secretary Joe Meyer submitted a written report and the topic was Work-Ready Communities. He made the following additional comments about the report:

- Work-Ready Communities is a Workforce Development program that is important to the Kentucky Board of Education because one of the elements required of counties is that the schools must exceed or meet the state goal for high school graduation rate of 82.3%. This is supportive of the state board's college and career readiness initiatives.
- One of the other elements of this program is that a great deal of collaboration is required at the local level because the business community, economic development community, workforce community, local elected officials and the education community are all partners in this effort. Thus, the goal of raising the graduation rate becomes the goal of not just the school district but of the greater community.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

President King submitted a written report and made the following additional comments:

- In the area of new credentials, the Council on Postsecondary Education is pleased about the growth in Associate Degrees and the growth in Masters and Doctorate Degrees.
- Later this month, a two-day conference will occur in Louisville focused on how the state expands its culture to grow a college-going citizenship.
- A meeting of the college presidents is being held today to focus on how the colleges can significantly improve teacher education and professional development resources for educators. The meeting will include looking at the data from the TELL survey as well as the Northern Kentucky Math Center and the Board Examination Project.

REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD

Dr. Phillip Rogers submitted a written report and indicated he would answer questions on the report. He added that he will be retiring at the end of June from the Education Professional Standards Board and then in July will start a new position as Executive Director of the National

Association of State Directors of Teacher Education. Rogers expressed that he has enjoyed the opportunity to serve as a resource to the Kentucky Board of Education through the Education Professional Standards Board.

REPORT OF THE COMMISSIONER OF EDUCATION

Commissioner Terry Holliday noted that his written report was submitted and offered the following additional comments:

- The young people that served on the department's Student Advisory Council were thanked for their service and the commissioner noted that this is the most insightful advisory group that he has.
- An update on the number of districts volunteering to use the kindergarten screener was provided with 92 of 174 districts indicating they will participate this coming school year. He expressed appreciation for Brigitte Ramsey's leadership on the Early Childhood Advisory Council.

GOOD NEWS ITEMS

The following items of good news were reported by the noted individuals:

Bill Twyman

Twelve (12) Kentucky schools were recognized on May 22 by Lieutenant Governor Jerry Abramson for their efforts to lower energy costs by improving efficiencies in their buildings.

Each school earned an "ENERGY STAR" designation, part of a federal program that identifies education institutions that are among the top 5 percent in the nation for energy efficiency.

The ENERGY STAR-designated schools recognized were:

- Overdale Elementary – Bullitt County school district
- Turkey Foot Middle – Kenton County school district
- James A Caywood Elementary – Kenton County school district
- Flaherty Primary – Meade County school district
- Foster Heights Elementary – Nelson County school district
- East Middle – Shelby County school district
- Milton Elementary – Trimble County school district
- Richardsville Elementary – Warren County school district
- Warren East Middle – Warren County school district
- Oakland Elementary – Warren County school district
- Plano Elementary – Warren County school district
- Cumberland Trace Elementary – Warren County school district

The newly announced 12 schools bring the number of Kentucky's ENERGY STAR school buildings to 160. The number has more than doubled over the last two years.

Congratulations to these 12 newly-identified schools and those who made this designation possible.

Brigitte Ramsey

Four Eastern Kentuckians have earned regional recognition for making significant contributions to advance education in their home communities. Forward in the Fifth's 2012 Appalachian Leaders in Education (AppLE) Awards were presented to individuals who have gone "above and beyond" in their efforts to support education in their communities.

The Educator Award was given to Kelly Bell, principal at Metcalfe County High School. She has worked tirelessly to change the school's designation as a persistently low-achieving school. Bell has focused on improving students' confidence in themselves, their school and their community. Under her leadership, student ACT and graduation rates have risen. She has involved the community in the revitalization of the school by inviting community leaders to visit the school, have lunch with the students and learn what they can do to support education in their home community.

The Community Leader Award was given to Rob Lester, a pharmacist in Pike County. Lester received his education in Pike County and sought to give back to the community. He formed a partnership with the University of Pikeville to establish a dual credit program so that deserving students could get a jumpstart on their postsecondary education. He remains active in speaking with students about the value of education and establishing programs that will academically benefit Pike County students.

The Parent Award went to Michelle Combs of Perry County. Combs is involved in volunteer and fundraising efforts in the Hazard Independent school system. As assistant coach of the middle and high school speech teams, she encourages her students to become involved. She also serves as a volunteer for the Hazard/Perry County soccer leagues and coordinates numerous other volunteers on a weekly basis to ensure the smooth transition of the extra-curricular activities.

The Student Award was given to Abbey Alexandra Witt of Estill County. Witt is involved in career and technical education at Estill County High School. As president of Kentucky's chapter of Future Business Leaders of America (FBLA), she has traveled across the state informing students about the importance career and technical education can have on her peers as well as local communities. In February, Witt testified before Kentucky's House and Senate Committees on the difference such programs have made in her life.

Congratulations to all of these outstanding winners of the 2012 AppLE Awards!

Roger Marcum

Three Kentucky public schools are among 78 nationwide that have been named as U.S. Department of Education (USED) Green Ribbon Schools.

The three are:

- Rosa Parks Elementary, Fayette Co.
- Georgetown Middle, Scott Co.
- Richardsville Elementary, Warren Co.

U.S. Department of Education Green Ribbon Schools is a federal recognition program that opened in September 2011. Honored schools exercise a comprehensive approach to creating “green” environments through reducing environmental impact, promoting health and ensuring a high-quality environmental and outdoor education to prepare students with the 21st-century skills and sustainability concepts needed in the growing global economy.

Join me in congratulating these schools on receiving this honor!

PUBLIC COMMENT SEGMENT

The following individual came forward to speak during this portion of the meeting:

- Dick Richards – Gender Equity
- Cindy Baumert – 703 KAR 5:225 and 5:070

CONSIDERATION TO APPROVE EXTENSION OF THE COMMISSIONER OF EDUCATION’S CONTRACT

Associate Commissioner Kevin Brown came forward and summarized the contents of the contract. He noted that it is a separate contract that will start August 5, 2013, with the same duties, salary, annual contribution to the trust account, vacation and other benefits, the ability to seek reimbursement for mileage or use of a state vehicle, and the same ways to terminate the contract. Brown said that the relocation expense has been removed and a clause was added saying that if the current contract term is not completed, this new contract is moot.

Chair Karem explained that he and Vice Chair Roger Marcum had asked for this new contract to be on the agenda for consideration in order to communicate to the board’s partners that the intention is to promote continuity in leadership and initiatives at the Kentucky Department of Education. Karem went on to say that he and Roger Marcum agreed that something needed to be said in June about this matter prior to the next school year to send a strong message about the direction of the board and support for Commissioner Holliday and his work.

Judy Gibbons, Brigitte Ramsey, Dr. Robert King, Billy Harper and Roger Marcum all spoke strongly in support of this new contract.

At this point the question was called and Billy Harper moved to approve the commissioner’s new contract and Mary Gwen Wheeler seconded the motion. The motion carried.

LEARNING FORWARD UPDATE

Coming forward to present on this item was Associate Commissioner Felicia Smith. Smith indicated that this is exciting news about the work going on in Kentucky and future work relative to thinking about the professional learning for educators. Associate Commissioner Smith noted that the document from Learning Forward found on page 26 of the Agenda Book outlines recommendations for the state to consider. She said that there are conversations with partners going on about these recommendations and a task force has been set up to advise the Kentucky Department of Education on creating a systemic infrastructure for supporting the growth and learning of all educators. In addition, she said there is a subcommittee of teachers that will be pulled together to shape the next steps in this work. Moreover, Smith shared that four sites will be trying out some of the practices that come out of this work to provide feedback and research on their effectiveness.

Commissioner Holliday indicated that the Race to the Top stakeholders are being reconvened to use the report's recommendations in order to move toward policy and statutory changes in professional development. He noted that some of the issues will be around time, paperwork and professional development. Holliday indicated that the work will come back to the board for consideration prior to the next legislative session.

STANDARD SETTING DISCUSSION REGARDING KENTUCKY'S NEW ASSESSMENT SYSTEM, THE KENTUCKY PERFORMANCE RATING FOR EDUCATIONAL PROGRESS (K-PREP)

Associate Commissioner Ken Draut presented to the board on this item. Also at the table with Draut was Art Thacker from HumRRO. Associate Commissioner Draut used a PowerPoint presentation to make the following points:

- The external review and partner input timeline is as follows: HumRRO and KDE design work, summer/fall 2011; National Technical Advisory Panel on Assessment and Accountability review of K-PREP model, March 2012; National Center for Educational Achievement (NCEA) design work, winter/spring 2012; National Technical Advisory Panel on Assessment and Accountability review of end-of-course assessments, May 22, 2012; Pearson Design work, April/May 2012 and Kentucky Board of Education overview, June 2012.
- The schedule for the K-PREP 3-8 standard setting in reading and mathematics is as follows: standards adopted in reading/mathematics February 2010; item writing using new standards, fall 2010/spring 2011; field testing of new items, spring 2011; K-PREP test design with new items, fall 2011; administration of K-PREP test, April/May 2012; scoring and raw scores produced, June 2012; standard setting, August 2012; novice, apprentice, proficient, and distinguished cuts applied, September 2012; and test score release, September/October 2012.
- For the K-PREP grades 3-8 in reading and mathematics, Kentucky's goal is college/career ready for all. The Council on Postsecondary Education defined college readiness using ACT with a benchmark of 20 in reading, 18 in English and 19 in mathematics. One hundred percent

of Kentucky public colleges/universities accept these benchmarks for placement of students in credit-bearing courses.

- Additional background indicated that the ACT college-ready definition is based on 50 years of research and the fact that ACT has performance standards for each cut score along their scale. Additionally, the Council on Postsecondary Education researched the appropriate cuts based on Kentucky specific information and any student reaching a benchmark is eligible to immediately take credit-bearing courses.
- ACT designed a linked system of tests to help measure college readiness as follows: EXPLORE, (eighth-grade); PLAN (tenth-grade); ACT (eleventh-grade); EXPLORE predicts PLAN, PLAN predicts the ACT and ACT predicts college-readiness; and the Quality Core end-of-course assessments predict PLAN/ACT.
- The psychometric goal is to create a method that will link K-PREP (3-8 assessments) to the college-ready benchmarks.
- The new testing system will be linked from grades 3-12 to a definition of college/career readiness. This link can be accomplished due to the unprecedented and remarkable work of the Council on Postsecondary Education. The college definition is driven by our partners in higher education.
- The task for the standard setting process in reading and mathematics is to redefine Kentucky's novice, apprentice, proficient and distinguished scores to align with college-readiness; set new cut scores reflecting this alignment and create performance descriptors in grades 3-8 that align with college readiness.
- The four steps in the standard setting process for reading and mathematics are: Step 1, linking; Step 2, performance-level descriptors and standards adjustment; Step 3, the actual standard setting process; and Step 4, application of the new cut scores to produce novice, apprentice, proficient and distinguished scores for schools and accountability reports.
- Science and social studies standards on a national level are still being developed; therefore, the department continues to use Core Content 4.1 in those subjects. The K-PREP science and social studies tests will be psychometrically equated to the 2011 interim test.
- Relative to K-PREP standard setting for high school end-of-course tests, the Quality Core end-of-course tests are statistically linked to the PLAN and ACT. Almost all end-of-course test takers have taken the PLAN test. PLAN and ACT correlations are .7 to .9. By using a linear link between PLAN, ACT and end-of-course tests, a cut score can be determined for the end-of-course tests that link to the ACT cuts.
- To conduct the standard setting for the high school end-of-course tests, an expert panel of stakeholders will meet in August and the panel will be presented with statistical analysis. The panel will provide guidance on specific end-of-course cut scores for apprentice and distinguished. The goal is to find end-of-course scores that link to the Council on

Postsecondary Education benchmarks on ACT. The end result will be that the end-of-course process will produce novice, apprentice, proficient and distinguished categories linked to the Council on Postsecondary Education benchmarks. Performance level descriptors from ACT already exist for the end-of-course assessments.

- Relative to the K-PREP standard setting for writing in grades 5, 6, 8, 10 and 11, no link exists for the writing test to the definitions of the Council on Postsecondary Education college readiness benchmarks; therefore, a standard setting process called Body of Work method will be used to set these cut scores.

Brigitte Ramsey expressed concern because Kentucky's benchmarks on the ACT are lower in one area than the national benchmarks. She questioned that a process was being set up that would prevent Kentucky from being nationally competitive.

Commissioner Holliday said he thought that Kentucky is informing the national work and the reality is that when we see the results in grades 3-8, the proficiency numbers are going to drop from 70-80% down to 30-50% because the state is moving to a college/career readiness approach. He emphasized that we are setting more rigorous standards.

Mary Gwen Wheeler asked if ACT is an appropriate measure of the new Common Core State Standards.

Commissioner Holliday replied that teachers will tell you that currently not all the items in CIITS are totally aligned to the Common Core State Standards and this is because we are just now doing the work on the formative assessments. He continued that ACT was very involved in the development of the Common Core Standards and can provide its data as to alignment. Holliday noted that there are some mismatches that ACT is dealing with in its revisions.

Next, Roger Marcum asked about the location of alignment with career readiness.

Ken Draut responded that this occurs with WorkKeys and ASVAB, which are two pieces of work that have been going on recently.

Mary Gwen Wheeler then asked what KBE's role is in the standards setting.

Ken Draut replied that it is to provide guidance at this meeting so that when staff comes back, the cut points will have been set and can be shared with the board.

Commissioner Holliday noted that the commissioner oversees the standard setting.

UPDATE FROM THE KENTUCKY CENTER FOR SCHOOL SAFETY (KCSS) AND A DISCUSSION ON HOW KCSS AND THE KENTUCKY DEPARTMENT OF EDUCATION (KDE) PROVIDE SUPPORT FOR DISTRICTS ON THE ISSUE OF BULLYING

Associate Commissioner Susan Allred and Jon Akers, Director of the Center for School Safety, came forward to present on this topic. Allred indicated that we can only deliver on the college and career readiness goal if bullying is eliminated.

At this point, Assistant General Counsel Amy Peabody presented the background research on the area of bullying and also shared with the board what information that Kentucky Department of Education provides when contacted for assistance about bullying.

Chair David Karem then stated that he hoped everyone understands the board believes there should be zero tolerance for bullying.

At this point Jon Akers used a PowerPoint presentation to provide an overview of the Kentucky Center for School Safety and the technical assistance that is offered by that agency toward bullying and other school safety issues. Some of the main points of his presentation are included below:

- House Bill 330, the Safe Schools Act of 1998, created the Kentucky Center for School Safety. Eastern Kentucky University is the contract agency and location of its central operations.
- The Kentucky Center for School Safety provides technical services in 4,105 different settings across the Commonwealth that have involved 247,030 people. The audience receiving these services have included teachers, school administrators, board members, students, parents, university professors, first responders, bus drivers, school resource officers, law enforcement and other safety related people.
- The Kentucky Center for School Safety has conducted 297 statewide trainings involving 24,785 participants on topics such as anti-bullying, suicide prevention, pandemic flu, crisis management, bus driver safety, conflict resolution, emergency preparedness, cyber-bullying, threat assessment, dealing with parents in school settings, violence prevention curriculum, classroom/school-wide management systems and various other topics.
- The Kentucky Center for School Safety is a one-stop shop that averages 20 phone calls a week from superintendents, principals, or central office staff that usually fall in the primary categories of needing specific information regarding an incident that just happened, requesting technical assistance for a site visit, needing interpretation on how best to apply law or policy or requesting professional development.
- The Center has produced its 13th Annual Report and the board was provided with a copy of that report.
- The Center defines bullying as unwanted acts directed toward another person. It is usually repeated and usually involves an imbalance of power. Bullying is not just a school issue, it's a life-long issue and doesn't stop at graduation. Kentucky Center for School Safety's position on

bullying is a modified zero tolerance with the recommendation to investigate each incident and make a decision based on the facts of the case.

- Bullying is the number one problem of school safety in our state. Eighty percent occurs electronically and usually goes undetected by adults. Schools are receiving the brunt of the blame for a community problem.
- Bullying is everyone's problem. We are all in this together and it is going to take a village to effectively address the problem. Schools do what they can from 8:00 a.m. to 3:00 p.m. But, from 3:00 p.m. until the next morning, someone else needs to address this problem.
- The efforts being made in schools include the implementation training for HB 91, refinement of school board and school-based decision making policies, awareness training for staff, awareness assemblies for students and statewide professional development opportunities.
- The Kentucky Center for School Safety since the passage of HB 91 has conducted four regional trainings focused on implementation of HB 91 involving 516 administrators, has conducted fourteen regional trainings for 877 participants, has responded to 123 requests for district level workshops on bullying that included 13,029 participants and has conducted the first statewide bullying symposium for 324 participants. Additionally, the Kentucky Center for School Safety has a variety of resources relating to bullying issues on its website, has collected statewide pledges against bullying and cyber-bullying from 79,000 students and has printed and distributed 1,650 materials on bullying.
- In the future there needs to be greater coordination among state child/serving agencies to consolidate efforts, avoid duplication and/or competition. It must be made evident that parents play a key role in bullying prevention and are responsible if their child is a bully.

Brigitte Ramsey then asked if KCSS has a preventative model and if an assessment of the social/emotional aspects of student relationships exists.

Akers responded that no specific model is endorsed but he indicated commercial programs are available. Also, he noted that the Center can do a school safety assessment that gives some data on the social/emotional aspect. He said the Center advises the school to investigate every incident and try to facilitate dialogue among the affected individuals if there is disagreement on how the incident was handled. Akers then introduced Sargent Scott Harvey who he indicated does a great program on bystanders.

Susan Allred added that in PLA schools, a culture component is included where students must be engaged in the conversation.

David Karem then suggested that if the Commissioner's Student Advisory Council has not discussed this issue, it should go on their agenda. He noted that sometimes parents hesitate to look at their students' computers or other factors, but it should be made clear that this is their duty and families must be engaged to prevent bullying.

Roger Marcum commented on the funding issue that the Kentucky Center for School Safety has faced. He commended Mr. Akers and the Center on what they are able to do in the face of limited dollars.

Judy Gibbons then asked Sargent Harvey if there are other officers doing what he does in the schools.

Harvey replied that he does work with other officers so that they know their responsibility in this area and on how to work with victims for both students and staff.

ANNOUNCEMENTS

Chair David Karem made the following announcements:

- Next the board will conduct a special recognition and an award presentation.
- Following these activities, the board will recess for lunch and reconvene in the state board room at 1:00 p.m.

PRESENTATION OF THE KEVIN M. NOLAND AWARD AND RECOGNITION OF DR. PHILLIP ROGERS' SERVICE AND UPCOMING RETIREMENT

Chair Karem stated that he had been asked to publicly recognize and thank Dr. Phillip Rogers for his tremendous collaboration and friendship to the board and the department. He explained that Dr. Rogers will soon be retiring and this is his last meeting with the Kentucky Board of Education.

Karem continued that in order to honor Dr. Rogers' dedication and service to the improvement of education in Kentucky, a resolution has been drafted, which he said he would read aloud and then ask the board to adopt it. The resolution read as follows:

Resolution Honoring Phillip S. Rogers
By
The Kentucky Board of Education
Commonwealth of Kentucky

Whereas, Phillip S. Rogers has been an advocate for children and families in various capacities for over 30 years and is currently Executive Director of the Education Professional Standards Board (EPSB), where he has served since 2005;

Whereas, Phillip S. Rogers has exhibited outstanding leadership by guiding the EPSB to oversee the accreditation of 30 university and college educator preparation programs and certification of 50,000 professional educators in Kentucky;

Whereas, Phillip S. Rogers has enhanced teacher and administrator quality within Kentucky's public schools by providing visionary leadership in the

implementation of the redesign of all master's degree programs, principal preparation programs and superintendent preparation programs;

Whereas, Phillip S. Rogers has been a key partner whose collaboration and insight has been critical to the development and successful implementation of the P-20 Data System;

Whereas, Phillip S. Rogers has participated in an unparalleled coalition with the Commissioner of Education and President of the Council on Postsecondary Education that has more strongly aligned the work of the three agencies;

Whereas, Phillip S. Rogers has regularly attended Kentucky Board of Education meetings and faithfully served as an active partner, colleague and friend to the board on joint initiatives focused on college and career readiness for all students;

NOW, THEREFORE, be it resolved by the Kentucky Board of Education to congratulate Phillip S. Rogers on his upcoming retirement and thank him for his tremendous service to the students and citizens of the Commonwealth.

Done in the city of Frankfort, this sixth day of
June, in the year Two Thousand and Twelve.

At this point, Judy Gibbons moved to adopt the resolution and Roger Marcum seconded the motion. The motion carried.

Dr. Rogers came forward to receive the framed resolution from Chair Karem.

Next, Karem proceeded to present the Kevin M. Noland Award. Karem explained that the purpose of this award is to honor a Kentucky Department of Education employee based upon the outstanding characteristics of long-time department employee Kevin M. Noland, who is now retired. He noted that Noland was in the audience and asked him to stand and be recognized. Karem then proceeded to announce that this year's award goes to Lisa Gross, Director of Communications. He indicated that Ms. Gross was characterized in the nomination submissions as a dedicated KDE employee of over 25 years who daily deals with the media and constituents on difficult issues and works tirelessly to get KDE's message out; an ambassador for KDE who is knowledgeable, trusted, accurate and responsive; and a role model to others in the area of customer service. Karem asked Gross to come forward to receive the award and make a few remarks.

HEARING OFFICER'S REPORT

Associate Commissioner/General Counsel Kevin Brown brought forward the following items for discussion:

- Chase Bannister, summer intern, was introduced to the board.

- The appeal by the Jefferson County Board of Education of the leadership assessment has come to a compromise and it has been withdrawn.
- The one-page Hearing Officer's report about the status of regulations was sent to the board and it indicates that next week will be a busy one with several regulations going before legislative committees.
- Every regulation goes through a public comment period and both oral and written comments were received on 703 KAR 5:070 and 703 KAR 5:225. When comments are received, department staff must prepare a Statement of Consideration and indicate to the board if the requested changes are recommended to be made. The Statements of Consideration for these two regulations were provided to the board last week, but the most recent version for 703 KAR 5:070 was just handed out. It is recommended by department staff to not change the position on providing a reader as well as making no change in the position on the calculator issue. Additionally, no change was recommended on extended time, the timeline for implementing the regulation or on prompting and cuing. For number 6, clarification and language improvement, changes were made. However, no changes were made relative to use of a scribe, design of the test and other general assessment comments and misconceptions.

At this point Brigitte Ramsey moved to adopt the Statement of Consideration and Billy Harper seconded the motion.

Judy Gibbons then stated that there is still a lot of misconception about when a reader can and cannot be used. She emphasized the need to continue to communicate what is and is not allowed relative to this issue.

Roger Marcum said that he wished the department could give direction to districts on ways to minimize the impact on grading.

Mary Gwen Wheeler said she would support the Statement of Consideration but asked the department to monitor the implementation of this regulation and have the board revisit the issue within the next year.

The question was then called and the motion carried.

Kevin Brown then continued with the Statement of Consideration on 703 KAR 5:225. Brown said that the Statement of Consideration dealt with 28 subject matters and then proceeded to have these summarized for the board.

Associate Commissioner Ken Draut noted that the major changes dealt with the AMO exit criteria for Focus and Priority Schools and Districts. Brown added that these changes were due to a compromise position following discussion with the Kentucky Education Association and the Kentucky Association of School Councils.

Brigitte Ramsey then asked for clarification on delivery goals.

Associate Commissioner Ken Draut stated that these are tools for districts to use to help them move toward college and career readiness for all students.

Commissioner Holliday added that at the August meeting, a presentation will occur on how to use these goals. He explained that the department will give the trajectory for each component and the subgroups. He continued that these will be used to construct comprehensive school improvement plans and comprehensive district improvement plans. Holliday emphasized that the board and department do not want to go back to the days of schools and districts having 25 goals and then if they miss one of them, the overall score is not made. He clarified that all data will be posted in Open House for the public and noted that the department is working on a layered report card.

Nawanna Privett said this explanation was very helpful but then asked how schools and districts are to be held accountable with the delivery goals.

Holliday responded that all of the data is published and districts and schools must participate in the planning process for school improvement.

Roger Marcum said he has wrestled with trying to understand the delivery goal process and is still concerned about this piece. He said that he understands it better now but he still can't really judge until the first round of data is in. He felt that people had legitimate concerns on this and appreciated the questions and responses on delivery.

At this point Judy Gibbons moved to adopt the Statement of Consideration for 703 KAR 5:225 and Bill Twyman seconded the motion. The motion carried.

ANNOUNCEMENTS

Chair David Karem announced the following:

- The board will now move to committee meetings with the Curriculum, Instruction and Assessment Committee going first followed by the Management Committee. Both meetings will be held in the State Board Room.
- At the end of the Management Committee meeting, the full board will reconvene here in the State Board Room.

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING

Action/Consent Items

1. **Appointments to the State Textbook Commission.** Associate Commissioner Felicia Smith came forward to present on this item. Staff recommended that the board approve the re-appointments to the State Textbook Commission of Cherissa L. Eden, Donna R. Lovell, and Barbara M. Waltrip. Mary Gwen Wheeler moved approval and Billy Harper seconded the motion. The motion carried.

Action/Discussion Items

1. **Certification of non-public schools.** Associate Commissioner Susan Allred came forward to present on this item. Billy Harper moved approval of certification of all submitted non-public schools and Mary Gwen Wheeler seconded the motion. The motion carried.

Review Items

1. **704 KAR 7:160, Use of Restraint and Seclusion in Public Schools (First Reading).** Associate Commissioner Kevin Brown, Division Director Johnny Collett and Associate Commissioner Felicia Smith came forward to discuss this item. Kevin Brown stated that staff was ready to do the final reading at this meeting, but then right before the board packet went out the United States Department of Education issued guidance and significant changes were made to the regulation. Therefore, he stated that the item was changed to a Review Item so that the final reading will occur in August.

Judy Gibbons then asked about property damage and what happens when furniture is damaged or other instances similar to this.

Kevin Brown responded that the physical harm rule applies rather than whether furniture is damaged and indicated this is consistent with federal guidance.

Mary Gwen Wheeler said that the regulation is much clearer and readable.

Judy Gibbons emphasized that the board wants things in place to protect all children.

Brown continued that we also have to be mindful that districts are feeling overwhelmed in many areas right now, but the department is exploring training opportunities through the web and a way to do this cost effectively.

2. **704 KAR 3:305, Minimum Requirements for High School Graduation (First Reading).** Associate Commissioner Felicia Smith came forward for this agenda item. She stated that the amendment to this regulation is changing the name of the Certificate of Attainment to an Alternative High School Diploma. Smith clarified this is in response to legislation. She indicated that the final reading of this regulation to change the name of the diploma will occur at the August meeting.

MANAGEMENT COMMITTEE MEETING

Action/Consent Items

1. **District Facility Plans: Crittenden, Grant, Henderson, Pulaski, Todd and Trimble County School Districts and Augusta and Murray Independent Districts & 2. District Facility Plan Amendments: Monroe County School District and Ashland Independent School District.** Coming forward for these items were Associate Commissioner Hiren

Desai, Division Director Kay Kennedy and Tim Lucas. The committee was asked if they had any questions about the facility plans or amendments under consideration.

Bill Twyman moved approval of all submitted district facility plans and Roger Marcum seconded the motion. Additionally, Roger Marcum moved approval of the facility plan amendments from Monroe County and Ashland Independent and Bill Twyman seconded the motion. The motions carried.

3. **Request for Waiver from Requirements of 702 KAR 4:180 by the Murray Independent School District.** Associate Commissioner Hiren Desai said that the Murray Independent School District is asking for the board to waive the provision that prevents it from using restricted funds for construction. He explained that the department reviewed the district's most recent annual financial statements to determine if the district remains financially stable and said that department staff support the waiver as being justified.

At this point Bill Twyman moved approval of the requested waiver from Murray Independent and Roger Marcum seconded the motion. The motion carried.

4. **Request for Waiver of 702 KAR 5:060, Section 6(2) from the Ft. Thomas Independent School District.** Division Director Kay Kennedy said that this is an annual request from the Ft. Thomas Independent School District and said staff recommends its approval.

Bill Twyman then moved approval of the waiver from Ft. Thomas Independent School District and Roger Marcum seconded the motion. The motion carried.

Action/Discussion Items

1. **2013 Kentucky Minimum Specifications for School Buses.** Associate Commissioner Hiren Desai and Division Director Kay Kennedy were present to answer any questions regarding changes to the school bus specifications. Kennedy noted that this is an annual item brought before the board in order to update these specifications. Roger Marcum moved approval of this item and Bill Twyman seconded the motion. The motion carried.
2. **2011 Report, 2011 Exceptions and 2013 Plan as required by 702 KAR 1:115, Annual in-service training of local district board members.** Executive Director Bill Scott and Ms. Kerri Schelling, Director for Board Team Development, Kentucky School Boards Association were present for this discussion. Scott noted that despite the Kentucky School Boards Association's best efforts, some local board members don't achieve their training requirements. Ms. Schelling proceeded to go through the different attachments to the staff note starting on page 237 of the Agenda Book.

Roger Marcum then moved to approve the 2011 report, 2011 exceptions and 2013 plan as required by 702 KAR 1:115 as well as sending a letter to those board members not qualifying for an extension. Bill Twyman seconded the motion and it carried.

3. **Kentucky Education Technology System (KETS) FY13 Unmet Need for LEAs & 4. FY 2013 Kentucky Education Technology System (KETS) Expenditure Plan.**

Associate Commissioner David Couch came forward to answer any questions the committee had regarding these items. He noted that the four categories of unmet need are broken out on page 262 of the Agenda Book into operations, maintenance, incremental replacement and new technology. Relative to the expenditure plan, he noted there to be a substantial decrease in the amount of state dollars available. Couch stated that KETS went from \$19.5 million to \$16.4 million and the high speed network went from \$15.3 million to \$12.6 million.

At this point, Bill Twyman moved to approve both the unmet need and the expenditure plan. Roger Marcum seconded the motion and it carried.

5. **KHSAA Board of Control At-Large Appointment.** Associate Commissioner Kevin Brown recommended to the board to accept the reappointment of William “Bill” Beasley to the KHSAA Board of Control. He explained that Beasley was recently elected as Vice President of the KHSAA Board of Control and noted this is the first time that one of the board’s appointments has risen to this level of leadership. Roger Marcum moved approval of Mr. Beasley’s reappointment and Bill Twyman seconded the motion. The motion carried.

Review Items

1. **Report on Title IX Deficiencies for schools audited during the 2011-12 school year and planned activities for 2012-2013.** Commissioner Julian Tackett of the Kentucky High School Athletic Association came forward to answer any questions the committee had regarding this report. Tackett noted that he inherited this responsibility when he became commissioner and is trying to make sure accurate reporting and oversight is occurring. He noted that the board had been sent a consolidated report that gives the opportunity for trend analysis to occur relative to the Title IX compliance. Tackett emphasized that it is not KHSAA’s job to enforce Title IX but instead it is their responsibility to make schools and districts aware of potential consequences for noncompliance.

Relative to the situation in Letcher County that the board has inquired about, Tackett reported that tomorrow the superintendent will be meeting with the department on a BG-1 to complete its compliance relative to Title IX. He commented that KHSAA tries to strike a balance of support and penalties.

Roger Marcum said he feels that the Kentucky Board of Education has taken action and appreciates KHSAA’s work in this area.

Tackett then went on to say that the KHSAA board is concerned about there being no attendance requirement for the Kentucky Board of Education’s appointed at-large members.

Chair Brigitte Ramsey said she recommended that the committee deal with this at the next meeting and asked staff to facilitate this.

APPROVAL OF ACTION/CONSENT ITEMS

Judy Gibbons moved approval of all submitted district facility plans and district facility plan amendments, the request for waiver of 702 KAR 5:060, Section 6(2) from Ft. Thomas Independent, the request for waiver from the requirements of 702 KAR 4:180 by Murray Independent and the appointments to the State Textbook Commission. Roger Marcum seconded the motion and the board concurred with the motion.

REPORT OF THE CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Judy Gibbons moved approval of the certification of the submitted non-public schools. The board concurred with the motion.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

Chair Brigitte Ramsey moved approval of the 2013 Minimum Specifications for School Buses; the 2011 Report, 2011 Exceptions and 2013 Plan as required by 702 KAR 1:115, annual in-service of local district board members as well as sending a letter to those board members not qualifying for an extension; the KETS FY13 unmet needs for LEAs and FY2013 KETS Expenditure Plan and the KHSAA Board of Control reappointment of William Beasley. The board concurred with the motion.

BOARD MEMBER SHARING

The following board members shared these items:

- Nawanna Privett – KEAT has come to consensus on a message to send to the Commission on Tax Reform and this will be sent to all board members.
- Judy Gibbons – The Northern Kentucky Advocacy Group has done the same thing and developed its own message to send to the Commission on Tax Reform.
- Brigitte Ramsey – The Management Committee wishes to consider a review of the department's budget on a regular basis as part of its committee meeting.

INTERNAL BOARD BUSINESS

The following items were discussed during this portion of the agenda:

- Chair David Karem appointed Billy Harper as chair of the Nominating Committee with Nawanna Privett, Jay Parrent and Mary Gwen Wheeler as the other members of that committee.

- Board members are to advise Mary Ann Miller on which standing committee they prefer to serve on for next year.
- The August meeting is a two-day meeting with the first day being a retreat that will start at 10:00 a.m. on August 8. The 9th will be the regular meeting and contain the commissioner's evaluation session.
- Mary Ann Miller was asked to update the board on the new online board system. She stated that she and Susan Palmer have been scheduled for training on how to operate the system. Miller said that the August meeting will be used to show the board how the system works but members will still receive a printed agenda book. She commented that the October meeting will be the target for full implementation.
- Mary Gwen Wheeler asked if the board could review metrics at each meeting. Commissioner Holliday replied that the ability to do this is coming but will not totally exist until we get the test results. He indicated that this will occur in October and then quarterly key meeting indicators could be reported upon.

APPEAL TO THE KENTUCKY BOARD OF EDUCATION OF THE NONRESIDENT STUDENT AGREEMENT FOR THE 2012-13 SCHOOL YEAR BETWEEN THE CORBIN INDEPENDENT SCHOOL DISTRICT AND THE KNOX COUNTY SCHOOL DISTRICT

General Counsel Kevin Brown and Attorney Lisa Lang came forward to give an overview of the nonresident student appeal process. Brown said that this appeal is filed under KRS 157.354. He then went through the exhibits and the structure of the hearing.

Oral presentations by each district's board of education representative occurred next. Robert Chenoweth represented the Corbin Independent School District and Johnny Ray Turner spoke for the Knox County School District.

After an opportunity for the board to ask questions and deliberate, Roger Marcum moved to remand the issue back to the commissioner for further consideration based on factual information related to the court decisions, enrollment and other items. Brigitte Ramsey seconded the motion and it carried.

ADJOURNMENT

Billy Harper moved to adjourn the meeting and Judy Gibbons seconded the motion. The motion carried.

